

OLC 74-2588
16 December 1974

MEMORANDUM FOR THE RECORD

SUBJECT: Right of Privacy Legislation

25X1A

1. Together with [redacted] 25X1A, OGC, met with Frank Reeder and Bob Bedell, OMB, and reviewed the latest committee version of the right of privacy bill. [redacted] and I stressed our principal concern that the Agency would be subject to the establishment of a Privacy Protection Commission to conduct a two-year study of the system of records in Government and report back to the Congress. We noted that CIA information was exempt from the Commission in the original version of the Senate bill (S. 3418). Reeder noted that the two-year study commission was a compromise to meet the strong demands of Senator Sam J. Ervin, Jr. (D., N.C.) for some form of a commission. He called Jim Davidson, the Senate Government Operations Committee staff man working on the bill, in our behalf and requested that CIA be exempted from the study commission. According to Davidson, Senator Ervin definitely will not entertain any further changes on this point. Reeder agreed with our proposal to have a floor colloquy to make clear that the Commission should not in any way impair the responsibility of the Director to protect intelligence sources and methods. He suggested that we discuss this with Steve Daniels, the House Government Operations Committee staff man working on the bill, since Davidson also made clear that Ervin would not make a floor statement.

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2. [redacted] and I later met with Daniels. He made clear that the Agency would be subject to the study commission. We agreed to a brief floor statement which Daniels said he would discuss with Representative William S. Moorhead (D., Pa.) or Representative John N. Erlenborn (R., Ill.) for a floor colloquy.

3. The Agency's exemption in the final committee version includes all of those sections from which the Agency was not exempted as set forth in the House-passed version (H.R. 16373) and Senate-passed version (S. 3418).

[redacted] 25X1A
Assistant Legislative Counsel

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1 - Chrono